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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Jason Lenz
Application No.:	10/063042
Filed:	March 14, 2002
For:	Segmented Spine
Examiner:	Sarah K. Webb
Group Art Unit:	3731
Firm Docket No.:	S63.2B-10057-US01

DATE: July 27, 2005

TIME: 4:26

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TOTAL NUMBER OF PAGES (including transmittal letter): 3

## FACSIMILE TRANSMITTAL LETTER

Following please find a(n) 1 Pg Pctition for One Month Extension of Time; 1 Pg RCE Transmittal; and 1 page Facsimile Transmittal Letter.

With respect to fees:

☐ No additional fee is believed to be required☒ Charge RCE Fee, Extension Fee and any fee deficiency as required to our Deposit Account No. 22-0350

## Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

If any additional fees associated with this communication are required and have not otherwise been paid, please charge the additional fees to Deposit Account No. 22-0350. Please credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,  
VIDAS, ARRETT & STEINKRAUS

Date: July 27, 2005

By:

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## Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300, on July 27, 2005.

Signature:

Mary Granger

JUL 27 2005

<b>Request For Continued Examination (RCE) Transmittal</b> Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/063042	
	Filing Date	March 14, 2002	
	First Names Inventor	Jason Lenz	
	Art Unit	3731	
	Examiner Name	Sarah K. Webb	
	Attorney Docket Number	S63.2B-10057-US01	

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility of plant application filed prior to June 8, 1995, or to any design application.**

**Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

1. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the Final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i. ☐ Amendment/Reply (Pages \_\_\_\_\_) iii. ☐ Information Disclosure Statement (IDS) (Pages \_\_\_\_\_)

ii. ☐ Affidavit(s)/ Declaration(s) (Pages \_\_\_\_\_) iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 22-0350.

a. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 07/28/2005 TL0111 00000041 220350 10063042

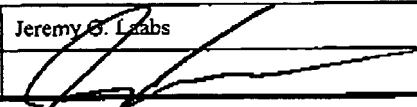
iii. ☐ Other 01 FC:1801 790.00 DA

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

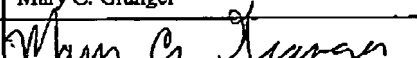
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Jeremy G. Laabs	Registration No. (Attorney/Agent)	53170
Signature		Date	July 27, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MailStop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Mary C. Granger
Signature	
Date	July 27, 2005